Commercial



VOL. XIX., NO. 3705.

HONOLULU. HAWAIIAN ISLANDS, TUESDAY, JUNE 5. 1894.

PRICE: 5 CENTS.

Business Cards.

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CONSTITUTIONAL CONVENTION.

Much Work Done at the Session Yesterday.

THE PRESS RESTRICTION IS KILLED

Kunuiakea Will Keep His Seat in the Convention-The Hawaiish Flag Will Be the Ensign of the Hawaiian Republic-Sixteen Articles Finished.

> Monday, June 4. FOURTH DAY.

The Convention was called to order at 9:40, President Dole in the chair. In the absence of the chaplain, prayer was offered by Councillor H. Waterhouse. Roll call. Minutes of the third day read and approved.

Delegate Kalua reported for the Committee on Credentials, declaring that the credentials of William Horner, one of the delegates from Hawaii, who had just taken his seat in the Convention, were in order. The oath was administered to Mr.

Horner by the Chief Justice. Councillor Allen, for the special committee on the petition of H. Klemme, desired to introduce the following resolution before bringing in its report:

tain the action of the Inspectors of Election on the island of Oahu in election for delegates. Councillor Allen stated that if the

Convention supported the legality of fractional votes, the committee was ready with its report.

Delegate Hitchcock thought the resolution out of order. It was calling on the Convention to sustain the com-NO. 82 FORT STREET, HONOLULU mittee report before the report was brought in.

Delegate Robertson said that the object of the resolution was to save time. If fractional votes were decided to be illegal, a recount of all the ballots without fractions on the whole island would be necessary; otherwise the committee could report at once. Delegate Ables held that the matter of fractional votes had been decided

by the Minister of the Interior, who had authority to pass on the point. He moved the resolution be adopted. Delegate Iosepa agreed with Delegate Hitchcock. The committee should report and then its report ment to Mr. Carter's amendment. should be either accepted or rejected. Minister Smith said that as Dele-

gate Robertson had explained, the resolution would greatly facilitate the work of the committee. The resolution was adopted, only two voting against it. Councillor Allen then presented the

report, which finds that Kunuikea was legally elected. Though the inspectors made many mistakes, they did not benefit Kunuiakea any. On the contrary, he gains seventeen-twentieths of a vote on a recount. Delegate Kunuiakea thanked the

committee. The report was adopted without opposition. Delegate Baldwin offered a resolution providing that each member might receive such daily papers as he

should designate to the secretary. Adopted. DelegateCarter offered the following resolution: Resolved, That the Minister of the Interior furnish the Convention accurate statistics, made up from the ballots themselves, showing the number positively the only safe and RELIABLE ar- of ballots cast at the election of deleticle for the Complexion. Absolutely gates to this Convention; the num- liberty of speech or of the press; but narmless, opens the pores, increases the ber for different candidates; the nature all persons shall be responsible for the natural and necessary secretions of the of the errors made, and other data abuse of such right; and no person

> Delegate Ables moved the resolu-tion be tabled. Carried. forty articles of the Constitution were system or form of government hereby ready in Hawaiian there was no rea- established; nor seek or advocate the

method of voting.

rules regarding the procedure on the Constitution, and as to the number of striking out all the section after the votes necessary to pass each article.

Councillor Emmeluth moved that a 6; and also to strike out the first majority of the whole number of the delegates and Council be required.

o, and also to strike out the lifst words "Except as herein provided."

The Constitution was not the place Referred to Committee on Rules.

draft a rule providing for two readings of the Constitution, the reading to be article by article.

Councillar Emmeluth moved to amend by making it three readings. Delegate Carter thought a third reading unnecessary. The reading in Committee of the Whole and one in Convention would be sufficient.

Minister Hatch agreed with the last | vision. speaker, as did Delegate Baldwin. Councillor Emmeluth thought that too much care could not be exercised. The third reading could be formal, as in the case of a bill.

original motion of Minister Smith was | ferred Delegate Baldwin moved that the amendment. There was a law which

Constitution be now taken up, article

by article. It was voted to read the Constitution, article by article, in Committee of the Whole. The President summoned Delegate

Baldwin to the Chair, Delegate Hitchcock having declined. RIGHTS OF PERSON AND PROPERTY.

ARTICLE I .- RIGHTS OF THE PERSON. Section 1. God bath endowed all men with certain inalienable rights, among which are life, liberty and the right of acquiring, possessing and protecting property, and of pur-suing and obtaining happiness. Passed.

Section 2. The Government is conducted for the common good and not for the profit, honor or private interest of any one man, family or class of

Passed. Section 3. The Legislature may provide by law, however, for the supervision, registration, control and identification of all persons or any class or nationality of persons; and may also by law restrict and limit the term of residence and the business or employment of all persons coming

into the Republic. Delegate Carter moved to change line 14 so as to read "any person or any class or nationality," and that with this amendment the section pass. Delegate Robertson thought that if the words "any person" were adopted, the Legislature could restrict the employment of a single person, which would not be just. Legislation should be confined to all persons or classes of persons only.

Delegate Kalua thought the section

sufficient as it stood, and he moved its Delegate Hitchcock opposed the amendment. Delegate Carter thought that the

section as it stood might be a little ambiguous. Minister Smith said there are two main ideas in the section. It pro-Resolved, That the Convention susvided, first, for identification of persons here; and second, for regulation Election on the island of Oahu in of employment of those hereafter counting fractional votes as cast in the coming here. If the words "or any class or nationality of persons" were added that would be sufficient, and it would not be necessary to change "all

persons" to "any person." Minister Hatch said lines 13 and 14 were the only ones which enabled any restriction to be laid on new-comers. If the Convention wished to enable the legislature to restrict the employment of particular classes of persons hereafter coming here, the amend-ment must be voted for. Delegate Robertson agreed to part of

give the legislature the power to legis-late as to any single person. That would pave the way for a tyranny not to be endured by anyone. President Dole thought the amendment as proposed was very important. The words "all persons," however, could be stricken out entirely, simply substituting for them the words "or any class or nationality of persons." He would move that as an amend-

the amendment proposed, but not to

ment of the President unnecessary. Minister Damon opposed all class egislation. Councillor Emmeluth moved that the Committee of the Whole recommend the Convention to refer Section 3 of Article 1 to a special committee.

Minister Smith thought the amend-

The section was finally amended, so that line 14 should read "all persons or any class or nationality of persons," and passed as amended. ARTICLE 2-RELIGIOUS FREEDOM. All men are free to worship God according to the dictates of their own consciences; but this privilege shall not be so construed as to justify acts

of licentiousness or practices incon-

sistent with the peace or safety of the

Republic. Passed. ARTICLE 3-FREEDOM OF SPEECH

AND OF THE PRESS. Except as herein provided, all men may freely speak, write and publish their sentiments on all subjects; and no law shall be enacted to restrain the which may aid the Convention in shall advocate by writing, printing or adopting or rejecting the cumulative speaking, the restoration or establishment of a monarchical form of government in the Hawaiian Islands; nor ion be tabled. Carried.

Delegate Kalua said that as the first complishment of any change in the son why the Convention should not action of any foreign power for such purpose, except by treaty duly made oroceed with the Constitution.

The President drew attention to the in accordance with the provisions of fact that there was nothing in the this Constitution.

Minister Hatch moved to amend by for police regulations; there were Minister Smith moved that the laws for treason and sedition which Committee on Rules be instructed to could be enforced. could be enforced. Minister Smith agreed with the

amendment, but drew attention to the fact that the United States anarchistic publications had been suppressed with great severity. It had been thought that the class of utterances referred to should be suppressed. He stated this in deference to those who had urged the insertion of this pro-Delegate Carter hoped that the Con-

ing this amendment. It would be easier to amend it on the second reading than to secure its insertion if The amendment was lost and the out now. He moved that it be de-Councillor Brown favored the

vention would not be hasty in adopt-

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